

October 29, 2003

Mr. Lester J. Weaver,
976 Wayfield Drive
Norristown, PA 19403

Re: Philadelphia Federation of Teachers,
Local 3, AFT, AFL-CIO,
Health and Welfare Fund, AFT, AFL-CIO,
Pennsylvania Federation of Teachers,
and
Philadelphia Federation of Teachers
Legal Services Fund
Case 4-RD-1987

Dear Mr. Weaver:

The above-captioned case petitioning for an investigation and determination of representative under Section 9(c) of the National Labor Relations Act, as amended, has been carefully investigated and considered.

The instant petition seeks an election to determine whether Office and Professional Employees International Union, Local 32, AFL-CIO (Local 32) remains the exclusive collective bargaining representative of the Employers' office and clerical employees. By letter dated October 10, 2003, Local 32 disclaimed any right to represent the employees in this unit. In view of Local 32's disclaimer of interest, I find that no question of representation exists. Accordingly, I am dismissing the petition in this case, and revoking any prior certification of representative which may have issued on behalf of Local 32 with respect to the unit involved.

The Region will not entertain any petition filed by Local 32 seeking to represent the employees in the unit involved within six months from this date unless good cause is shown to the contrary. Moreover, if Local 32 makes a claim within six months from this date purporting to represent the employees, the Region will entertain a motion by the Petitioner to reinstate this petition. *Hartz Mountain Corporation*, 260 NLRB 323, 325 (1982); *Little Rock Road Machinery Co.*, 107 NLRB 715 (1954).

Pursuant to the National Labor Relations Board Rules and Regulations, you may obtain a review of this action by filing a request therefor with the National Labor Relations Board, addressed to the Executive Secretary, National Labor Relations Board, Washington, DC 20570. A copy of such request for review must be served on the Regional Director and each of the other parties to the proceeding. This request for review must contain a complete statement setting forth the facts and reasons upon which it is based. The request for review (eight copies) must be

received by the Executive Secretary of the Board in Washington, D.C., by the close of business on **October 30, 2003**. Upon good cause shown, however, the Board may grant special permission for a longer period within which to file. The request for extension of time should be submitted to the Executive Secretary of the Board in Washington, D.C., and a copy of any such request for extension of time should be submitted to the Regional Director, and to each of the other parties to this proceeding.

The request for review and any request for extension of time for filing must include a statement that a copy has been served on the Regional Director and on each of the other parties to this proceeding, and the copy must be served in the same or faster manner as that utilized in filing the request with the Board. When filing with the Board is accomplished by personal service, however, the other parties shall be promptly notified of such action by telephone, followed by service of a copy by mail or telegraph.

Very truly yours,

DOROTHY L. MOORE-DUNCAN
Regional Director

cc:

Lester A. Heltzer, Executive Secretary, NLRB, Washington, DC 20570

Arthur Steinberg, President, Philadelphia Federation of Teachers Health and Welfare Fund,
1876 Chestnut Street, Philadelphia, PA 19103

Steven M. Tully, Business Manager, Office and Professional Employees International Union,
AFL-CIO, CLC Local 32, 2013 Morris Avenue, Union, NJ 07083

Wendy Chierici, Esquire, Spear, Wilderman, Borish, Endy, Spear & Runckel, 230 S. Broad
Street, Suite 1400, Philadelphia, PA 19102

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